

REMARKS

In response to the Office Action mailed December 29, 2006, Applicants respectfully request reconsideration. Claims 1-37 were previously pending in this application. By this amendment, claims 1, 6, 18, 19, 21-25, and 33 have been amended. A second claim inadvertently numbered as 33 and claims 34-36 have been canceled¹. New claims that include the subject matter of the canceled claims 37-39 have been added. As a result, claims 1-33 and 37-39 are pending for examination with claims 1, 19, 21 and 37 being independent. No new matter has been added.

Objections to the Specification

The Office Action objected to claims 34-37 because two claims were previously numbered as 33 with the following claims erroneously numbered. Applicants have canceled the second claim 33 and claims 34-36 and have added new claims 37-39, wherein claim 37 corresponds to amended former second claim 33, claim 38 corresponds to former claim 34, and claim 39 corresponds to former claim 36. The subject matter of former claim 35 has been incorporated into a new independent claim 37, as discussed below.

Accordingly, withdrawal of the objection is respectfully requested.

Objections to the Claims

The Office Action objected to claim 6 as containing a typo and to claim 21 as lacking an antecedent basis in the language of the claim. Applicants have amended claims 6 and 21 to address the Examiner's concerns.

Accordingly, withdrawal of these objections is respectfully requested.

Rejections under 35 U.S.C. §101

The Office Action rejected claims 18 and 33 under 35 U.S.C. 101 as allegedly directed to non-statutory subject matter. Without acceding to the appropriateness of the rejection, Applicants have amended claims 18 and 33 to comply with claim language requirements of

¹ As objected to in the Office Action, two claims were previously numbered as 33. By this amendment, a second claim 33 and claims 34-36 have been canceled.

MPEP § 2106.01 (I), which states that “a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.”

Applicants believe that claims 18 and 30 are directed to statutory subject matter.

Accordingly, withdrawal of these rejections is respectfully requested.

Rejections under 35 U.S.C. §112

The Office Action rejected claim 19 under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants have amended claim 19 to overcome the rejection.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. §102

The Office Action rejected claims 1-3, 12-15, 18-26, 30 and 33-35 under 35 U.S.C. 102(e) as being anticipated by Malcolm, US Patent 7,146,638. Applicants respectfully traverse the rejection.

I. Independent Claim 1

Claim 1, as amended, recites

A computer-implemented method, comprising:

receiving a call from an application *via a first application programming interface*, the call having parameters for a connection to an endpoint that the application desires to establish;

receiving from the application via the first application programming interface a request to establish the connection;

providing the application with an indication indicating that the request is supported; and

making a call *via a second application programming interface* to a firewall to establish the connection in accordance with the parameters.

(Emphasis added).

Malcolm is directed to controlling by a firewall program whether an application program is granted access to a wide area network (WAN), such as the Internet (Abstract). The firewall receives the at least one access request definition from the application program during startup of the application program or immediately prior to the intercepted access request (col. 4, lines 20-

25). The firewall then prompts a user to approve or deny the intercepted access request accompanied by the justification statement from the identified access request definition explaining why the application program needs to access the wide area network (col. 5, lines 65-57 – col. 6, lines 1-5). The firewall communicates the justification statement through a dialogue box or other suitable communications interface to inform the user about the type and purpose of the requested Internet access (col. 6, lines 21-24). After informing the user about the access request, the firewall receives a user response indicating approval or denial of the intercepted access request (col. 4, lines 38-40).

Malcolm neither teaches nor suggests “a” computer-implemented method, comprising: receiving a call from an application via a first application programming interface, the call having parameters for a connection to an endpoint that the application desires to establish; receiving from the application via the first application programming interface a request to establish the connection; providing the application with an indication indicating that the request is supported; and making a call via a second application programming interface to a firewall to establish the connection in accordance with the parameters, ” as recited in claim 1.

In view of the foregoing, claim 1 patentably distinguishes over Malcolm.

Claims 2-18 depend from claim 1 and are allowable for at least the same reasons.

Accordingly, withdrawal of the rejection of claims 1-18 is respectfully requested.

II. Independent Claim 19

Claim 19, as amended, recites

A computer system comprising:
an operating system;

*an enforcement module associated with the operating system and called
via the application programming interface and configured and adapted to:*

*receive an indication from the application that the application
desires to establish the connection; and*

*make a call to a firewall to establish the connection in accordance
with the parameters.*

(Emphasis added).

Malcolm discusses an exemplary computer upon which the firewall method or protocol for controlling access or communication between an application program and a wide area network may be implemented (col. 4, lines 3-5; Fig. 1). The computer comprises a system unit

11 including a system bus or plurality of busses 21, a keyboard 12, a mouse 13 and a display 14. The microprocessor 22 is connected to the system bus 21 and is supported by read only memory (ROM) 23 and random access memory (RAM) 24, also connected to the system bus 21 (col. 8, lines 21-30). An operating system 58, firewall program 56, and application programs 50, 52, 54 are resident in the random access memory 24 when loaded from the hard disk 26 for use (col. 8, lines 62-64).

Malcolm neither teaches nor suggests “a computer system comprising: ... an enforcement module associated with the operating system and called via the application programming interface and configured and adapted to: receive an indication from the application that the application desires to establish the connection; and make a call to a firewall to establish the connection in accordance with the parameters,” as recited in claim 19.

In view of the foregoing, claim 19 patentably distinguishes over Malcolm.

Claim 20 depends from claim 19 and is allowable for at least the same reasons.

Accordingly, withdrawal of the rejection of claims 19 and 20 is respectfully requested.

III. Independent Claim 21

Claim 21, as amended, recites

A computer-implemented method, comprising:
receiving a connect attempt, a listen attempt, or a combination thereof from an application or a service;
extracting user and application or service information from the connect attempt, the listen attempt, or the combination thereof;
identifying a user and the application or the service from the user and application or service information;
determining if the connect attempt, the listen attempt, or the combination thereof need to match a policy;
if the connect attempt, the listen attempt, or the combination thereof need to match the policy, establishing, via an application programming interface, the policy and adding the policy to a plurality of policies;
evaluating the application or service information to determine if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies; and
if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies, *configuring a firewall* to allow the connect attempt, the listen attempt, or the combination thereof.

(Emphasis added).

As discussed above, Malcolm neither teaches nor suggests “a computer-implemented method, comprising: receiving a connect attempt, a listen attempt, or a combination thereof from an application or a service; extracting user and application or service information from the connect attempt, the listen attempt, or the combination thereof; identifying a user and the application or the service from the user and application or service information; determining if the connect attempt, the listen attempt, or the combination thereof need to match a policy; if the connect attempt, the listen attempt, or the combination thereof need to match the policy, establishing, via an application programming interface, the policy and adding the policy to a plurality of policies; evaluating the application or service information to determine if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies; and if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies, configuring a firewall to allow the connect attempt, the listen attempt, or the combination thereof,” as recited in claim 21.

In view of the foregoing, claim 21 patentably distinguishes over Malcolm.

Claims 22-33² depend from claim 21 and are allowable for at least the same reasons.

Accordingly, withdrawal of the rejection of claims 21-33 is respectfully requested.

New Claims

New independent claim 37 recites

A computer system, comprising:
a firewall; and
an interception module including an application programming interface and configured and adapted to:
 intercept a request for a connect attempt, a listen attempt, or a combination thereof from an application or a service;
 extract user and application or service information from the connect attempt, the listen attempt, or the combination thereof;
 identify a user and the application or the service from the user and application or service information;
 determine if the connect attempt, the listen attempt, or the combination thereof need to match a policy;
 if the connect attempt, the listen attempt, or the combination thereof need to match the policy, establish, via the application programming interface, the policy and add the policy to a plurality of policies;

² As discussed above, two claims were previously numbered as 33. The first claim numbered as 33 depends from claim 21. By this amendment, Applicants have canceled the second claim numbered as 33.

evaluate the application or service information to determine if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies; and

if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies, *instruct the firewall to create a configuration to allow the connect attempt, the listen attempt, or the combination thereof.*

(Emphasis added).

As discussed above, Malcolm neither teaches nor suggests “a computer system, comprising ... an interception module including an application programming interface and configured and adapted to: intercept a request for a connect attempt, a listen attempt, or a combination thereof from an application or a service; extract user and application or service information from the connect attempt, the listen attempt, or the combination thereof; identify a user and the application or the service from the user and application or service information; determine if the connect attempt, the listen attempt, or the combination thereof need to match a policy; if the connect attempt, the listen attempt, or the combination thereof need to match the policy, establish, via the application programming interface, the policy and add the policy to a plurality of policies; evaluate the application or service information to determine if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies; and if the connect attempt, the listen attempt, or the combination thereof comply with one or more policies from the plurality of policies, instruct the firewall to create a configuration to allow the connect attempt, the listen attempt, or the combination thereof,” as recited in claim 37.

In view of the foregoing, claim 37 is allowable.

New claims 38-39 depend from claim 37 and are allowable for at least the same reasons.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

By: 

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